

**MISSOURI STATE AUDITOR'S OFFICE  
FISCAL NOTE (08-17)**

**Subject**

Initiative petition from Steve Hunter regarding a proposed amendment to Chapter 285 of the Missouri Revised Statutes. (Received January 31, 2008)

**Date**

February 20, 2008

**Description**

This proposal would create the "Protect Missouri Employee Paychecks from Politics Act" in the Missouri Revised Statutes.

The proposal is to be voted on in November, 2008.

**Public comments and other input**

The State Auditor's Office requested input from the **Attorney General's Office**, the **Department of Agriculture**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education**, the **Department of Health and Senior Services**, the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety**, the **Department of Social Services**, the **Governor's Office/Office of Administration**, the **Missouri House of Representatives**, the **Department of Conservation**, the **Office of State Courts Administrator**, the **Department of Transportation**, the **Missouri Senate**, the **Secretary of State's Office**, the **Office of the State Public Defender**, the **State Treasurer's Office**, **Cole County**, **Greene County**, **St. Charles County**, the **City of Joplin**, the **City of Kirksville**, the **City of St. Louis**, **Cape Girardeau 63 School District**, **Hannibal School District #60**, **Rockwood R-VI School District**, **Linn State Technical College**, **Metropolitan Community College**, the **University of Missouri**, **St. Louis Community College**.

## Assumptions

Officials from the **Attorney General's Office** assumes that the development of guidelines, investigation of complaints and enforcement of these new provisions would require 1 Assistant Attorney General II (salary of \$37,500/year plus related fringe benefits and expense and equipment; FY09 - \$64,198; FY10 - \$69,428; FY11 -\$71,509).

Officials from the **Department of Economic Development** indicated this proposal should have no administrative or fiscal impact on their department.

The **Department of Elementary and Secondary Education** indicated there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, the department cannot know how much additional money might be collected by local governments or the Department of Revenue to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

Officials from the **Department of Higher Education** indicated, if passed, this initiative would have no foreseeable direct fiscal impact on their department.

The **Department of Health and Senior Services** indicated no impact as a result of this initiative petition.

The **Department of Insurance, Financial Institutions and Professional Registration** indicated this proposal will have no cost to the department.

The **Department of Mental Health** stated that implementation of this legislation would have no fiscal impact to the department.

The **Department of Corrections** indicated no impact on their agency.

The **Department of Labor and Industrial Relations** stated the proposal has no fiscal impact on their department.

The **Department of Revenue** indicated the proposal will have no fiscal impact on their department.

The **Department of Public Safety** indicated no fiscal impact as a result of this initiative petition on the director's office.

The **Department of Social Services** indicated there will be no fiscal impact to their department.

Officials from the **Governor's Office/Office of Administration** indicated, if passed by the voters, this change to the statutes should not result in additional costs or savings to the Governor's Office or the Office of Administration.

Officials from the **Missouri House of Representatives** indicated this petition has no fiscal impact to their operations budget.

The **Department of Conservation** indicated that no fiscal impact is expected to their agency as a result of this proposal.

Officials from the **Office of the State Courts Administrator** indicated this proposal should not have a fiscal impact on the judiciary.

The **Missouri Senate** indicated there appears to be no fiscal impact on their agency as a result of the proposal.

Officials from the **Secretary of State's Office** indicated their office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.6 million historically appropriated in even numbered fiscal years and \$100,000 appropriated in odd numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2007, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$1.2 million to publish (an average of \$193,000 per issue). Therefore, the Secretary of State's office assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements.

Officials from the **Office of the State Public Defender** indicated this proposal will have no significant impact on their office.

The **State Treasurer's Office** indicated the proposal will have no impact on their office.

Officials from **Linn State Technical College** indicated that there appears to be no fiscal impact for their organization as a result of this initiative petition.

Officials from **Metropolitan Community College** indicated the proposal will have no fiscal impact on their organization.

The State Auditor's Office did not receive a response from the **Department of Agriculture**, the **Department of Natural Resources**, the **Department of Transportation**, **Cole County**, **Greene County**, **St. Charles County**, the **City of Joplin**, the **City of Kirksville**, **Cape Girardeau 63 School District**, **Hannibal School District #60**, **Rockwood R-VI School District**, the **University of Missouri**, **St. Louis Community College**.

### **Fiscal Note Summary**

It is estimated this proposal will cost state governmental entities \$69,428 annually. It is estimated this proposal will have no costs or savings to local governmental entities.